

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

BARRY LAMON, No. CIV S-03-0423-CMK-P

Plaintiff,

ORDER

LYTLE, et al.,

Defendants.

vs.
E, et al.,
Defendants.

Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. On July 24, 2008, the court issued orders and writs of habeas corpus ad prosequendum (Docs. 228, 229, and 230) for plaintiff and six incarcerated witnesses to attend a hearing scheduled for October 21, 2008, in Sacramento, California. At a trial hearing held on September 15, 2008, before the district judge, the parties consented to judge jurisdiction pursuant to 28 U.S.C. § 636(c) and the trial date was vacated. (See Doc. 237). Therefore, the court will vacate the orders and writs of habeas corpus ad prosequendum issued on July 24, 2008. New orders and writs will issue separately once a new trial date has been set.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The orders and writs of habeas corpus ad testificandum issued on July 24,
3 2008 (Docs. 228, 229, and 230) are vacated; and

4 2. The Clerk of the Court is directed to serve a courtesy copy of this order
5 and writ of habeas corpus ad testificandum on the California Department of Corrections and
6 Rehabilitation Out-To-Court Desk, P.O. Box 290007, Represa, California 95671.

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8 DATED: September 23, 2008

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10 CRAIG M. KELLISON
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12 UNITED STATES MAGISTRATE JUDGE